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EXAMINER

SALTARELLI, DOMINIC D

ART UNIT PAPER NUMBER

2611

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/521,176

Applicant(s)

OZAWA, TOSHIRO

Examiner

Dominic D. Saltarelli

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-13,16-23,26-32,35-38 and 40-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-13,16-23,26-32,35-38 and 40-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed August 11, 2005 have been fully considered but they are not persuasive.

First, the applicant persistently argues that there is not suggestion to combine the Dunn and Sartain references because Sartain discloses addressing the e-mail request to an accounting service rather than the office that provides video programming (applicant's remarks, page 15, second paragraph).

In response, examiner maintains that there is no basis in asserting that an accounting service must inherently be a remotely located and separately managed entity from the office that provides video programming. In fact, one of ordinary skill in the art, when presented with the Dunn and Sartain disclosures, would clearly see that the headend disclosed by Dunn would provide the accounting service necessary for tracking and billing orders for providing video programming, and thus the e-mail request sent to said accounting service is addressed to the office which provides the video programming.

Second, applicant argues there is not motivation to combine the Dunn, Abecassis, and Sartain references, because each solves the same problem in a different way, namely each provides their own unique solution to the problem of

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how to order a video program (applicant's remarks, page 16 second paragraph through 17, last paragraph).

In response, the examiner contends that each of the solutions provided by each reference in turn provides a unique benefit towards solving the problem of ordering video programming. Where the primary reference, Dunn, provides a basic means for ordering video programming, the Abecassis reference provides an improved function, namely allowing a user to perform an active search for desired programming, as opposed to iteratively progressing through a limited list of programming. Further, Sartain provides another improved function, namely allowing programming requests to be sent via e-mail, adding flexibility to the system by utilizing a more broadly accepted form of request that does not require specific hardware and specific programming to generate.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 11, 13, 21, 23, 31, 32, 37, and 38, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn et al. (5,721,829, of record) [Dunn] in view of Abecassis (US 2001/0041053, of record), Sartain et al. (5,914,712, of record) [Sartain], Venkatraman et al. (6,477,647, of record) [Venkatraman] and Hylton (5,613,190).

Regarding claims 1, 11, 21, 31, and 37, Dunn discloses a program distribution system and method (fig. 1, col. 2, lines 40-44) comprising:

A receiver (fig. 1, STB 26); and

A transmitter (fig. 1, headend 20) including a distribution controller (fig. 1, media server 40);

Said receiver being operable to accept a user request for a desired program (col. 5, lines 24-31);

Said transmitter including a distributable program storing unit (fig. 1, program storage 42) operable to store a plurality of distributable programs (col. 3, lines 46-51), said distribution controller (40) being operable to receive the distribution request (STB message, col. 5, lines 29-34), read out the requested program from said distributable program storing unit and distribute said program from a distributor to said receiver (col. 5, lines 24-41).

Dunn fails to disclose the user request is in a free style text format and converting the user request into a distribution request e-mail message that includes the user request and that is addressed to said distribution controller of said transmitter, which is sent to the transmitter, wherein said transmitter receives the request e-mail message and determines whether the requested program is one of the stored plurality of programs, to transmit an answer e-mail message to said receiver in response to the distribution request e-mail message, the answer e-mail message including a notice of correspondence and including supplemental information when the requested program is one of the stored

plurality of distributable programs, the supplemental information including cryptanalytic information for decrypting the program, and sending the program when the requested program is one of the stored plurality of distributable programs.

In an analogous art, Abecassis teaches a video on demand service (paragraph 179) wherein users access programs using requests that comprise keyword searching and retrieval (users type in search terms in a free form style, paragraph 315), which involves comparing a word within a distribution request with stored descriptions of programs and reading out the selected program if one of the stored the descriptions corresponds to said word. A keyword search allows users to quickly find a desired distributable program.

It would have been obvious at the time to a person of ordinary skill in the art to modify the system, method, and transmitter of Dunn to include free style text user requests, where the system determines whether the requested program is one of the stored plurality of programs based on the users request, as taught by Abecassis. The reason for doing so is to allow users to quickly find a desired program without linearly incrementing their way through a list.

Dunn and Abecassis fail to disclose converting the user request into a distribution request e-mail message that includes the user request and is addressed to said distribution controller of said transmitter and to transmit an answer e-mail message to said receiver in response to the distribution request e-mail message, the answer e-mail message including a notice of correspondence

and including supplemental information when the requested program is one of the stored plurality of distributable programs, the supplemental information including cryptanalytic information for decrypting the program.

In an analogous art, Sartain teaches a video on demand system (col. 2, lines 38-48) wherein distribution requests are made via e-mail (col. 10, lines 15-20) to the distribution controller of the system (the accounting service is provided through an email address, col. 10, lines 15-20, wherein the destination of said request [thus the address of the email request] is to the component that receives requests [gateway 610], shown in fig. 5, col. 9 line 42 – col. 10 line 7), for the advantage of utilizing the internet for distribution requests.

It would have been obvious at the time to a person of ordinary skill in the art to modify the system, method, and transmitter disclosed by Dunn and Abecassis to include converting a distribution request into an e-mail addressed to the distribution controller of the transmitter, as disclosed by Sartain, for the advantage of utilizing the internet for distribution requests, a commonly utilized backchannel for television distribution systems.

Dunn, Abecassis, and Sartain fail to disclose transmitting an answer e-mail message to said receiver in response to the distribution request e-mail message, the answer e-mail message including a notice of correspondence and including supplemental information when the requested program is one of the stored plurality of distributable programs, the supplemental information including cryptanalytic information for decrypting the program.

In an analogous art, Venkatraman teaches the transmission of confirmation e-mails to users that includes correspondence information specifying the interaction, confirming the selections made by users when interacting with a remote computer system (col. 6, lines 8-57), providing users with the opportunity to confirm selections made to reduce the chance of unwanted selections and providing users with the chance to revoke a selection.

It would have been obvious at the time to a person of ordinary skill in the art to modify the system, method, and transmitter disclosed by Dunn, Abecassis, and Sartain to include confirmation e-mails that include a notice of correspondence in response to user selections, as taught by Venkatraman, for the benefit of reducing the chance of unwanted program title selections and providing users with the chance to revoke a program title selection.

Dunn, Abecassis, Sartain, and Venkatraman fail to disclose including cryptanalytic information for decrypting the program.

In an analogous art, Hylton teaches providing decryption keys to customer equipment in response to user requests for video services (col. 20 line 58 – col. 21 line 8), for the benefit of allowing users that have requested an encrypted video service to decrypt and subsequently watch said requested video.

It would have been obvious at the time to a person of ordinary skill in the art to modify the system, method, and transmitter disclosed by Dunn, Abecassis, Sartain, and Venkatraman to include cryptanalytic information for decrypting the program, as taught by Hylton, for the benefit of allowing users that have

requested an encrypted video service to decrypt and subsequently watch said requested video.

Regarding claims 3, 13, 23, 32, and 38, Dunn, Abecassis, Sartain, Venkatraman, and Hylton disclose the system, method, and transmitter of claims 1, 11, 21, and 37, but fail to disclose said receiver is further operable to include a predetermined term in a subject filed in the distribution request e-mail message, the predetermined term indicating that the distribution request e-mail message includes the user request.

The official notice taken that it is well known in the art to include in the subject line of e-mail messages a description of the body, contents, and/or purpose of the email message, allowing recipients of the email to readily identify the e-mail message, was not traversed by the applicant, and it thus taken as an admission of the fact therein.

Therefore, it would have been obvious at the time to a person of ordinary skill in the art to modify the system, method, and transmitter of Dunn, Abecassis, Sartain, Venkatraman, and Hylton to include a predetermined subject filed in the distribution request e-mail message which indicates that the distribution request e-mail message includes the user request, for the benefit of allowing the recipient of the e-mail message to readily identify the e-mail message as a user request.

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4. Claims 2, 6, 7, 8, 12, 16, 17, 18, 22, 26, 27, 28, 35, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn, Abecassis Sartain, Venkatraman, and Hylton as applied to claims 1, 11, and 21 above, and further in view of Yurt et al. (5,550,863, of record) [Yurt].

Regarding claims 2, 12, and 22, Dunn, Abecassis, Sartain, Venkatraman, and Hylton disclose the system, method, and transmitter of claims 1, 11, and 21, but fail to disclose the distributable program storing unit stores an associated title for each of the said plurality of distributable programs which is used for selecting a program.

In an analogous art, Yurt teaches a video on demand service (col. 2, lines 48-59) wherein item names are used to identify items (col. 10, lines 52-56), as item names are easier to remember, making user access to these items more intuitive.

It would have been obvious at the time to a person of ordinary skill in the art to modify the system, method, and transmitter disclosed by Dunn, Abecassis, Sartain, Venkatraman, and Hylton to include the program's title, as taught by Yurt, wherein words in the user's request would then be compared to the titles associated with stored programs, for the advantage of making the search for a distributable program more intuitive and user friendly.

Regarding claims 6, 16, and 26, Dunn, Abecassis, Sartain, Venkatraman, Hylton, and Yurt disclose the system, method, and transmitter of claims 2, 12,

and 22, wherein the answer e-mail message includes the notice of correspondence when the user request includes a title associated with one of the stored plurality of programs (as shown above regarding claims 1, 11, and 21, the notice of correspondence is included in the answer e-mail sent from the transmitter in response to a successful transaction request made by a user).

Regarding claims 7, 17, and 27, Dunn, Abecassis, Sartain, Venkatraman, and Hylton disclose the system, method, and transmitter of claims 1, 11, and 21, but fail to disclose said receiver is further operable to transmit a confirmation e-mail message to said distribution controller in response to the answer e-mail message when the answer e-mail message includes the notice of correspondence, the confirmation e-mail message indicating that the user of said receiver has agreed to purchase the requested program, said distribution controller reading out the requested program from said distributable program storing unit when said distribution controller receives the confirmation e-mail message.

In an analogous art, Yurt discloses user confirmation of a purchase (fig. 3, step 3100, col. 14, lines 6-12) in response to a system-generated confirmation prompt (col. 13 line 55 – col. 14 line 12) to fully insure that a user selection is correct (col. 14, lines 2-5).

It would have been obvious at the time to a person of ordinary skill in the art to further modify the system, method, and transmitter disclosed by Dunn,

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Abecassis, Sartain, Venkatraman, and Hylton to include transmitting a user confirmation of a user selection in response to a system-generated confirmation prompt, as taught by Yurt, wherein the confirmation would take the form of an e-mail response, as this is the established means by which the transmitter and receiver communicate, for the benefit of fully insuring that a user requested program title has been correctly selected.

Regarding claims 8, 18, and 28, Yurt additionally discloses user confirmation of a purchase (fig. 3, step 3100, col. 14, lines 6-12) in response to a system-generated confirmation prompt (col. 13 line 55 – col. 14 line 12) to fully insure that a user selection is correct (col. 14, lines 2-5).

It would have been obvious at the time to a person of ordinary skill in the art to further modify the system, method, and transmitter disclosed by Dunn, Abecassis, Sartain, Venkatraman, Hyton, and Yurt to include transmitting a user confirmation of a user selection in response to a system-generated confirmation prompt, as taught by Yurt, wherein the confirmation would take that form of an e-mail response, as this is the established means by which the transmitter and receiver communicate, for the benefit of fully insuring that a user requested program title has been correctly selected.

Regarding claims 35 and 40, Dunn, Abecassis, Sartain, Venkatraman, and Hylton disclose the receiver and method of claims 31 and 37, but fail to disclose

said controller is further operable to transmit a confirmation e-mail message to the predetermined distribution unit when the answer e-mail message includes the notice of correspondence, the confirmation e-mail message indicating that the user of said receiver has agreed to purchase the requested program.

In an analogous art, Yurt teaches user confirmation of a purchase (fig. 3, step 3100, col. 14, lines 6-12) in response to a system-generated confirmation prompt (col. 13 line 55 – col. 14 line 12) to fully insure that a user selection is correct (col. 14, lines 2-5).

It would have been obvious at the time to a person of ordinary skill in the art to further modify the receiver and method disclosed by Dunn, Abecassis, Sartain, Venkatraman, and Hylton to include transmitting a user confirmation of a user selection in response to a system-generated confirmation prompt, as taught by Yurt, wherein the confirmation would take that form of an e-mail response, as this is the established means by which the transmitter and receiver communicate, for the benefit of fully insuring that a user requested program title has been correctly selected.

5. Claims 9, 19, 29, 36, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn, Abecassis, Sartain, Venkatraman, and Hylton as applied to claims, 1, 11, and 21 above, and further in view of Lawler et al. (5,805,763, of record) [Lawler].

Regarding claims 9, 19, and 29, Dunn, Abecassis, Sartain, Venkatraman, and Hylton disclose the system, method, and transmitter of claims 1, 11, and 21, but fail to disclose a recorder connected to said receiver, wherein said distribution controller is further operable to include in the supplemental information including a control command for causing said recorder to record the requested program.

In an analogous art, Lawler teaches a video on demand service (col. 4, lines 23-29) wherein the service automatically instructs a recorder (fig. 2, VCR 23, col. 5, lines 43-45) to record a selected program (col. 11, lines 7-13) by transmitting a control command (record tag, col. 12, lines 58-61) to a receiver (fig. 2, interactive station control 18, col. 13 lines, 7-18) to cause said recorder connected said receiver [18] (col. 5, lines 38-45) to record said selected program (col. 13, lines 20-25) by attaching said control command to a notice of correspondence (col. 13, lines 15-18), allowing a user to quickly and easily record a selected program for later use (col. 13, lines 38-43).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system, method, and transmitter disclosed by Dunn, Abecassis, Sartain, Venkatraman, and Hylton to include transmitting to said receiver supplemental information including a control command to cause a recorder connected to said receiver to record said selected program by attaching said control command to a notice of correspondence [the answer e-mail message], as taught by Lawler, for the advantage of allowing a user to quickly and easily

record a selected video on demand program for later use, as the user is relieved from having to manually set the recording parameters.

Regarding claims 36 and 41, Dunn, Abecassis, Sartain, Venkatraman, and Hylton disclose the receiver and method of claims 31 and 37, but fail to disclose an answer e-mail message received by said controller includes supplemental information, the supplemental information including a control command for causing a recorder connected to said receiver to record the requested program.

In an analogous art, Lawler teaches a video on demand service (col. 4, lines 23-29) wherein the service automatically instructs a recorder (fig. 2, VCR 23, col. 5, lines 43-45) to record a selected program (col. 11, lines 7-13) by transmitting a control command (record tag, col. 12, lines 58-61) to a receiver (fig. 2, interactive station control 18, col. 13 lines, 7-18) to cause said recorder connected said receiver [18] (col. 5, lines 38-45) to record said selected program (col. 13, lines 20-25) by attaching said control command to a notice of correspondence (col. 13, lines 15-18), allowing a user to quickly and easily record a selected program for later use (col. 13, lines 38-43).

It would have been obvious at the time to a person of ordinary skill in the art to modify the receiver and method disclosed by Dunn, Abecassis, Sartain, Venkatraman, and Hylton to include transmitting to said receiver supplemental information including a control command to cause a recorder connected to said receiver to record said selected program by attaching said control command to a

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notice of correspondence [the answer e-mail message], as taught by Lawler, for the advantage of allowing a user to quickly and easily record a selected video on demand program for later use, as the user is relieved from having to manually set the recording parameters.

6. Claims 10, 20, 30, 43, 45, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn, Abecassis, Sartain, Venkatraman, Hylton, and Yurt as applied to claims 6, 16, and 26 above, and further in view of Lawler.

Regarding claims 10, 20, and 30, Dunn, Abecassis, Sartain, Venkatraman, Hylton, and Yurt disclose the system, method, and transmitter of claims 6, 16, and 26, but fail to disclose a recorder connected to said receiver, wherein said distribution controller is further operable to include in the supplemental information including a control command for causing said recorder to record the requested program.

In an analogous art, Lawler teaches a video on demand service (col. 4, lines 23-29) wherein the service automatically instructs a recorder (fig. 2, VCR 23, col. 5, lines 43-45) to record a selected program (col. 11, lines 7-13) by transmitting a control command (record tag, col. 12, lines 58-61) to a receiver (fig. 2, interactive station control 18, col. 13 lines, 7-18) to cause said recorder connected said receiver [18] (col. 5, lines 38-45) to record said selected program (col. 13, lines 20-25) by attaching said control command to a notice of

correspondence (col. 13, lines 15-18), allowing a user to quickly and easily record a selected program for later use (col. 13, lines 38-43).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system, method, and transmitter disclosed by Dunn, Abecassis, Sartain, Venkatraman, Hylton, and Yurt to include transmitting to said receiver supplemental information including a control command to cause a recorder connected to said receiver to record said selected program by attaching said control command to a notice of correspondence [the answer e-mail message], as taught by Lawler, for the advantage of allowing a user to quickly and easily record a selected video on demand program for later use, as the user is relieved from having to manually set the recording parameters.

Regarding claims 43, 45, and 47, Yurt additionally discloses supplemental information included in a system-generated confirmation of a user selection includes accounting information for the program (the amount of money the user must pay to purchase the program, col. 13 line 55 – col. 14 line 12), further allowing a user to determine if the price of the program is acceptable.

It would have been obvious at the time to a person of ordinary skill in the art to further modify the system, method, and transmitter disclosed by Dunn, Abecassis, Sartain, Venkatraman, Hylton, Yurt, and Lawler to include in the supplemental information the time and price of the program, and taught by Yurt,

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for the benefit of allowing a user to determine if the price of the program is acceptable to the user.

7. Claims 42, 44, 46, 48, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn, Abecassis, Sartain, Venkatraman, Hylton, and Lawler as applied to claims 9, 19, 29, 36, and 41 above, and further in view of Yurt.

Regarding claims 42, 44, and 46, Dunn, Abecassis, Sartain, Venkatraman, Hylton, and Lawler disclose the system, method, and transmitter of claims 9, 19, and 29, but fail to disclose the supplemental information includes accounting information for the program.

In an analogous art, Yurt discloses supplemental information included in a system-generated confirmation of a user selection includes accounting information for the program (the amount of money the user must pay to purchase the program, col. 13 line 55 – col. 14 line 12), further allowing a user to determine if the price of the program is acceptable.

It would have been obvious at the time to a person of ordinary skill in the art to further modify the system, method, and transmitter disclosed by Dunn, Abecassis, Sartain, Venkatraman, Hylton, and Lawler to include in the supplemental information the time and price of the program, and taught by Yurt, for the benefit of allowing a user to determine if the price of the program is acceptable to the user.

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Regarding claims 48 and 49, Dunn, Abecassis, Sartain, Venkatraman, Hylton, and Lawler disclose the receiver and method of claims 36 and 41, but fail to disclose the supplemental information includes information consisting of the time of the program and the price of the program.

In an analogous art, Yurt teaches supplemental information included in a system-generated confirmation of a user selection includes accounting information for the program (col. 13 line 55 – col. 14 line 12), further allowing a user to determine if the price is acceptable.

It would have been obvious at the time to a person of ordinary skill in the art to further modify the receiver and method disclosed by Dunn, Abecassis, Sartain, and Lawler to include in the supplemental information accounting information for the program, and taught by Yurt, for the benefit of allowing a user to determine if the price is acceptable to the user.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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Typed or printed name of person signing this certificate:

Signature: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic D. Saltarelli whose telephone number is (571) 272-7302. The examiner can normally be reached on Monday - Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dominic Saltarelli
Patent Examiner
Art Unit 2611

DS



HAI TRAN
PRIMARY EXAMINER